REMARKS

Claims 1-12 are pending in this application. Claims 1-4 and 6-12 are rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,272,322 to Su ("Su") in view of U.S. Patent No. 6,466,548 to Fitzgerald ("Fitzgerald"). Claim 5 was objected to as being dependent on a rejected base claim. Applicant respectfully requests reconsideration and withdrawal of the rejections.

Applicants gratefully acknowledge the Examiner's indication of allowability for claim 5 if rewritten as an independent claim. Applicants respectfully defer rewriting this claim in independent form until a final decision is made in regard to the recited claims.

Claims 1-4 and 6-12 stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,272,322 to Su ("Su") in view of U.S. Patent No. 6,466,548 to Fitzgerald ("Fitzgerald"). Claims 1 and 6 are independent claims.

Claim 1 recites, inter alia, "loopback test means for testing a transmission function or a reception function of an arbitrary channel circuit by looping back a predetermined test signal, **inside the apparatus**." Similarly, claim 6 recites, "the step of testing the transmission function or the reception function of the apparatus by transmitting/receiving a predetermined test signal upon looping back the signal **inside the apparatus**." Page 3 of the Office Action admits that Su fails to disclose a loopback test inside the apparatus, but claims that Fitzgerald discloses a loopback test inside the apparatus. Applicant respectfully disagrees.

Like Su, Fitzgerald discloses performing a loopback test **outside the apparatus**. Fitzgerald's loopback test is performed by placing the loopback interfaces used in voice over IP (VoIP) gateways into non-voice routers. Col. 3, lns. 55-57. In this manner, an originating (VoIP) gateway sends audio packets to a loopback interface (non-voice router), which will then send the audio packet stream back to the originating

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gateway. *See* Col. 3, ln. 65 – Col. 4, ln. 1; *see also* Fig. 2. Thus, one apparatus (a gateway) must send something (packets) to another apparatus (a router) in order to perform a loopback test. Although the gateway apparatus is both sending and receiving the audio packet stream, this test is not being performed **inside the apparatus**. For the quality of service test of Fitzgerald to operate, the audio packet stream must be sent outside the gateway apparatus, to a router, and then returned by the router to the gateway. Clearly, this loopback test does not occur strictly inside the gateway, **inside the apparatus**, as required by claims 1 and 6.

Neither Su nor Fitzgerald disclose or suggest performing a loopback test inside a single apparatus. Claims 1 and 6 are patentable over Su in view of Fitzgerald for at least this reason. Claims 2-5 and 7-11 depend from claims 1 and 6, respectively. Therefore, these dependent claims are patentable over Su in view of Fitzgerald.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

    If the Examiner believes an interview would be of assistance, the Examiner is
welcome to contact the undersigned at the number listed below.

Dated: August 14, 2008   Respectfully submitted,

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